

Entered on Docket

March 09, 2010

GLORIA L. FRANKLIN, CLERK
U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA



Signed: March 08, 2010


ALAN JAROSLOVSKY
U.S. Bankruptcy Judge

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7 U.S. Bank, N. A. Successor in interest to
the FDIC as receiver for Downey
8 Savings and Loan Association, F.A.
F.040-1237A
9

10 UNITED STATES BANKRUPTCY COURT

11 NORTHERN DISTRICT OF CALIFORNIA

12 In re) Bk. No. 09-14219
13 CARROLL EVON PEGERON AKA)
14 CARROLL E. PEGERON, CARROLL) CHAPTER 7
15 PEGERON, CARROLL E. PEGERON, SR.,)
16 CARROLL PEGERON SR. AND) R.S. No. DRP - 682
17 CATHERINE ROSS PEGERON AKA)
18 CATHERINE M. PEGERON, CATHERINE) ORDER FOR RELIEF FROM
19 MARIE PEGERON, CATHERINE M. ROSS,) AUTOMATIC STAY
CATHERINE PEGERON, CATHERINE)
ROSS,) Hearing-
Debtors.) Date : February 25, 2010
) Time : 9:00 a.m.
) Place : U.S. Bankruptcy Court
) 99 South E Street
) Santa Rosa, California
) Courtroom (bkcy)
)
22 _____)

23 The Motion for Relief from Automatic Stay of U.S. Bank, N. A. Successor in
24 interest to the FDIC as receiver for Downey Savings and Loan Association, F.A., its assignees
25 and/or successors in interest, came on for hearing on February 25, 2010 at 9:00 a.m., before the
26 Honorable Alan Jaroslovsky. Appearances are as set forth in the Court's docket.
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1 The Court after reviewing the pleadings and records, and after determining
2 that GOOD CAUSE exists, makes the following Order:

3 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Automatic
4 Stay in the above-entitled Bankruptcy proceeding is hereby vacated and extinguished for all
5 purposes as to U.S. Bank, N. A. Successor in interest to the FDIC as receiver for Downey
6 Savings and Loan Association, F.A., its assignees and/or successors in interest ("Secured Creditor"
7 herein), effective March 22, 2010, the presumed date of Debtors' discharge and Secured Creditor,
8 its assignees and/or successors in interest may proceed with foreclosure of the subject Property
9 generally described as **78 Verissimo Drive, Novato, California** pursuant to applicable statutory
10 law, and thereafter commence any action necessary to obtain complete possession thereof.

11 IT IS FURTHER ORDERED that entry of this order shall be deemed to constitute
12 relief from the automatic stay as to any interest the Chapter 7 Trustee may have in the subject
13 Property.

14 IT IS FURTHER ORDERED that the 14-day stay provided by Bankruptcy Rule
15 4001(a)(3) is not waived.

16 IT IS FURTHER ORDERED that the automatic stay is modified to allow the
17 Debtors and the Secured Creditor to discuss the terms of any short sale, if any.

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19 Approved as to form and content

20 Dated: 3/8/2010

21 By:/s/ David P. Gardner _____
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23 David P. Gardner, Esq.
24 Attorney for Debtors
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29 ** END OF ORDER**
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